

UNITED STATES DISTRICT COURT
WESTERN DISTRICT WASHINGTON
SEATTLE DIVISION

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

DRAGONCHAIN, INC., DRAGONCHAIN
FOUNDATION, THE DRAGON
COMPANY, and JOSEPH J. ROETS,

Defendants.

Case No. 22-cv-01145-JNW

Hon. Jamal N. Whitehead

**JOINT MOTION TO MODIFY
SCHEDULING ORDER**

Pursuant to LCR 16(b)((6), Plaintiff Securities and Exchange Commission (“Plaintiff” or “SEC”) and Defendants Dragonchain, Inc., Dragonchain Foundation, The Dragon Company, and Joseph J. Roets (“Defendants”) (collectively, “Parties”), through their undersigned counsel of record, hereby jointly move the Court to modify the Civil Trial Scheduling Order entered on January 30, 2023 (Dkt. 20, “Scheduling Order”). The Parties’ requested modifications and good cause basis for these modifications are set forth below.

1 **A. Basis for Proposed Modifications**

2 Under the current Scheduling Order, fact discovery is set to close in less than a month, on
 3 September 25, 2023. However, in light of the Parties' ongoing fact discovery disputes, the status of
 4 fact discovery, and the limited time remaining in fact discovery, the parties seek an approximate
 5 180-day extension of the close of fact discovery, as well as corresponding extensions of subsequent
 6 case deadlines. Document production is still on going, and the Parties have a number of depositions
 7 to take.

8 To date, the Parties have propounded document requests and interrogatories to each other.
 9 The SEC has provided written responses to Defendants' requests and has produced certain
 10 documents responsive to the requests. Defendants have advised the SEC that Defendants believe
 11 that the SEC's responses to Defendants' requests are deficient. The SEC believes that its responses
 12 to Defendants' requests are sufficient. The Parties have met and conferred over their disputes
 13 regarding Defendants' discovery requests and the SEC's responses thereto. The Parties continue to
 14 meet and confer over these disputes in good faith in an effort to resolve these disputes without
 15 seeking Court action. Defendants have not yet responded to the SEC's discovery requests and have
 16 advised the SEC that Defendants need additional time to respond to the requests, especially given
 17 that Defendants' current counsel needs to ascertain the location of potentially responsive
 18 information from Defendants' former counsel, which represented Defendants during the SEC's pre-
 19 litigation investigation.

20 The Parties' proposed schedule modifications adjust the fact discovery period by
 21 approximately 180 days (from September 25, 2023 to March 25, 2024), and provide proportional
 22 extensions of all subsequent case deadlines, including the trial date. There is good cause for these
 23 adjustments, in light of the Parties' ongoing fact discovery disputes, the status of fact discovery, and
 24 the limited time remaining in fact discovery, as summarized above.

25 **B. PROPOSED REVISED SCHEDULE**

26 The chart below identifies the Parties' proposed revisions to the case schedule to account for
 27 the issues identified above.

EVENT	SCHEDULING ORDER (Dkt. 20)	JOINT MODIFICATION PROPOSAL
Discovery completed by [Close of Fact Discovery]	September 25, 2023	March 25, 2024
Mediation completed by	October 10, 2023	April 8, 2024
Dispositive motions due by	October 24, 2023	April 22, 2024
Motions in Limine due by	January 12, 2024	July 12, 2024
Pretrial order due by	January 12, 2024	July 12, 2024
Proposed verdict forms, voir dire, and jury instructions due by	January 16, 2024	July 16, 2024
Trial briefs due by	January 18, 2024	July 18, 2024
Jury trial begins	January 22, 2024	July 22, 2024

Dated: this 6th day of September, 2023 Respectfully submitted,

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION

/s/ Eric M. Phillips

By: One of Its Attorneys

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pursuant to LCR 83.1(c) (2))

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Respectfully submitted,
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ORDER

It is so ORDERED.

Dated this 7th day of September, 2023.



Jamal N. Whitehead
United States District Judge